

Application No. 09/581,781
Amendment dated May 22, 2006
Reply to Office Action of November 22, 2005

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Docket No.: 60590(50531)

REMARKS

Claims 1-24 are pending in the application. Applicants request entry and consideration of the amendments and response herein.

Amendment of any claim herein is not to be construed as acquiescence to any of the rejections/objections set forth in the instant Office Action, and was done to expedite prosecution of the application. Applicants make these amendments without prejudice to pursuing the original subject matter of this application in a later filed application claiming benefit of the instant application, including without prejudice to any determination of equivalents of the claimed subject matter. Support for these amendments appears throughout the specification and claims as filed. No new matter is introduced by these amendments.

Rejection under 35 USC §102(b)

Claims 1-3, 8, 10, 13, 20-21, and 24 are rejected as allegedly anticipated by US Patent 4,847,654 ("Riediker et al."). Applicants traverse.

It is asserted in the Action that Riediker et al. "teach a composition of an amine (i.e., 1,4-butylenediamine of column 8, line 16)," This assertion is incorrect. In fact, Riediker at column 8, line 16, teaches that suitable components in the Riediker compositions are "amides of identical or different unsaturated carboxylic acids of aromatic cycloaliphatic and aliphatic polyamines ..."; and further, that the [e]xamples of such polyamines are ethylenediamine, 1,2- or 1,3-propylene diamine, 1,2-, 1,3-, or 1,4-butylenediamine" So, in fact, Riediker et al. teach not polyamines, but amides derived from such polyamines. Applicants submit that for at least this reason, Riediker et al. does not anticipate Applicants claimed subject matter. Moreover, the assertion in the Action that "triethylene glycol dimethacrylate" described in Riediker et al. is an example of a hydroxyl bearing unsaturated ester is incorrect. "Triethylene glycol dimethacrylate" has no hydroxy group. Applicants additionally submit that for at least this reason, Riediker et al. does not

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anticipate Applicants claimed subject matter. Applicants therefore respectfully request withdrawal of the rejection.

Rejection under 35 USC §103(a)

Claims 3 and 24 are rejected as allegedly obvious over US Patent 5,563,285 ("Blount et al."). Applicants traverse.

It is well established that all claim limitations must be taught or suggested in order to establish a *prima facie* case of obviousness. See, MPEP 2143.03. The references must be viewed without the benefit of impermissible hindsight afforded by the claimed invention. See, MPEP 2141(II). Thus, Applicants submit that a *prima facie* case has not been made out in the Action.

Applicants submit that there is no basis to support the assertion that Blount et al. render Applicants' claimed subject matter obvious. It is stated in the Action that Blount et al. teach a composition which contains the reactive amine of N-vinyl-2-pyrrolidone, the saturated glycol of diethyl ether, and castor oil. Applicants disagree with such assertion. Of the listed agents a) to z) in Example 17 of Blount, none are a saturated glycol of diethyl ether. In fact, none of a) to z) are "a hydroxyl bearing etherified or esterified oligomeric glycol or oligool." As such Blount does not teach or suggest all claim limitations in Applicants rejected claims under this rejection, Applicants submit that the Action fails to establish a *prima facie* case of obviousness. Applicants therefore respectfully request withdrawal of the rejection.

Claims 1-3, 8, 10, 13 and 20-24 are rejected as allegedly obvious over US Patent 4,847,654 ("Riediker et al."). Applicants traverse.

As stated above in response to the rejection under 102(b), the assertions in the Action that "Riediker et al. teach a composition of an amine (i.e., 1,4-butylenediamine of column 8, line 16," and that "triethylene glycol dimethacrylate" described in Riediker et

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al. is an example of a hydroxyl bearing unsaturated ester, are both incorrect assertions. In fact, Riediker et al. teach not polyamines, but amides derived from such polyamines; and the assertion in the Action that "triethylene glycol dimethacrylate" described in Riediker et al. is an example of a hydroxyl bearing unsaturated ester is incorrect. "Triethylene glycol dimethacrylate" has no hydroxy group. Thus, Riediker fails to teach or suggest each of the instant claimed limitations, and thus fails to establish a *prima facie* case of obviousness. Applicants therefore respectfully request withdrawal of the rejection.

In view of the above amendment, Applicants believe the pending application is in condition for allowance. Should any of the claims not be found to be allowable, the Examiner is requested to telephone Applicants' undersigned representative at the number below. Applicants thank the Examiner in advance for this courtesy. The Director is hereby authorized to charge or credit any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 60590(50531).

Dated: May 22, 2006

Respectfully submitted,

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